



AGENDA  
VILLAGE BOARD MEETING  
RICHFIELD VILLAGE HALL  
4128 HUBERTUS ROAD, HUBERTUS WISCONSIN  
APRIL 16, 2015  
7:30P.M.

1. Call to Order/ Roll Call
2. Verification of Compliance With Open Meeting Law
3. Pledge of Allegiance
4. PUBLIC COMMENTS (Public comments are an opportunity for citizens to voice concerns to the Board regarding ITEMS ON THE AGENDA ONLY. Public comments are not a public hearing and are typically a one way conversation from a citizen to the Board. Individual comments shall not exceed 3 minutes, with a total time limit of approximately 20 minutes. Unless part of a Public Hearing, handouts will not be accepted by the Village. Comments beyond 20 minutes will be moved to the end of the meeting at the discretion of the President.)
5. CONSENT AGENDA
  - a. Vouchers for Payment
  - b. Treasurer's Report
  - c. Meeting Minutes:
    - i. March 19, 2015 – Regular Meeting
  - d. New Operator Licenses
  - e. Fee Schedule (Amendment) – Resolution R2015-04-02
  - f. Re-appointment of Board of Review members
6. DISCUSSION/ACTION ITEMS
  - a. Discussion/Action regarding Resolution R2015-04-03, a Resolution recognizing the partnership between the Village of Richfield and Crown of Life School
  - b. Discussion/Action regarding the creation of a one-lot Certified Survey Map, Tax Key: V10\_0486 and V10\_048700A
  - c. Discussion/Action regarding the adoption of the 2016-2020 Capital Improvement Program
  - d. Discussion/Action regarding the establishment of a "Local Negotiating Committee" for the siting of a solid or hazardous waste facility under Sec. 289.33, Wisconsin Statutes
  - e. Discussion/Action regarding Resolution R2015-04-01, a Resolution as required by Wis. Stats. 289.33(6)(a) regarding the siting of a solid or hazardous waste facility under Sec. 289.33, Wisconsin Statutes
  - f. Discussion regarding the creation of a Village Road Connectivity Map
7. PUBLIC COMMENTS (...Continued)
8. CLOSED SESSION
  - a. Discussion /Action to enter into closed session under Wis. Stats. 19.85(1)(g) update from legal counsel for the governing body who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which it is or is likely to become involved.- Specifically regarding *Timberstone v. Village of Richfield*
  - b. Discussion /Action to enter into closed session under Wis. Stats. 19.85(1)(g) update from legal counsel for the governing body who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which it is or is likely to become involved.- Specifically regarding the property located at *867 East Shore Drive*
9. RECONVENE IN OPEN SESSION
  - a. Discussion/Action regarding matters address in Closed Session as outlined above
10. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at [www.richfieldwi.gov](http://www.richfieldwi.gov). Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's office at 628-2260 or [www.richfieldwi.gov](http://www.richfieldwi.gov) with as much advance notice as possible.

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## AFFIDAVIT OF POSTING

Pursuant to Sec. 985.02(2), Wis Stats., I, Bradley Calder, being duly sworn, state as follows:

1. I am an adult resident of the State of Wisconsin, and I make this affidavit on personal knowledge.
2. I hereby certify that I posted a copy of the attached:

1. Board of Zoning Appeals Mtg - 2015. 4.13  
2. ARB Meeting - 2015. 4.15  
3. Village Board Mtg - 2015. 4.16  
4. Special Village Board - 2015. 4.16

on April 10, 2015 (date), 1:30 PM (time), at the Village posting locations, namely: on the outside bulletin board of the Village Hall located at 4128 Hubertus Road, Hubertus; on the outside bulletin board at the Hubertus Post Office located at 3695 Hubertus Road, Hubertus; on the outside bulletin board at the Richfield Post Office located at 1925 Hwy 175, Richfield; and on the outside bulletin board at the Colgate Post Office located at 3392 Hwy Q, Colgate.

Brad Calder  
Signature

4/10/2015  
Date

Personally came before me this 10<sup>th</sup> day  
of April, 2015.

Margaret M. Runnells  
Notary Public, State of Wisconsin  
My commission expires 9/25/16

I also certify that notice of such meeting(s) were sent via email to the West Bend Daily News, the Germantown Express News, the Hartford Times Press, and the Milwaukee Journal Sentinel.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I further certify that a copy has been posted to the Village website [www.richfieldwi.gov](http://www.richfieldwi.gov).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 5

MEETING DATE: April 16, 2015

SUBJECT: Consent Agenda  
DATE SUBMITTED: April 9, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO APPROVE THE ATTACHED CONSENT AGENDA?*

*ISSUE SUMMARY:*

Included for your review are the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from March 19<sup>th</sup>, New Operator Licenses, Resolution R2015-04-02, fee schedule amendment and Re-appointment of Board of Review members.

*FISCAL IMPACT:*

REVIEWED BY: Kathleen Smith  
Village Deputy Treasurer

Initial Project Costs:  
Future Ongoing Costs:  
Physical Impact (on people/space):  
Residual or Support/Overhead/Fringe Costs:

*ATTACHMENTS:*

1. Vouchers for Payment
2. Treasurer's Report
3. Meeting Minutes from March 19, 2015
4. New Operator License List, Copy of Applications, Background Investigation Report
5. Resolution R2015-04-02, fee schedule amendment
6. Re-appointment of Board of Review members

*STAFF RECOMMENDATION:*

Motion to approve the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from March 19<sup>th</sup>, New Operator Licenses, Resolution R2015-04-02, fee schedule amendment, and Re-appointment of Board of Review members.

APPROVED FOR SUBMITTAL BY:

Sam Johnson  
Village Staff Member  
Jim Healy  
Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_



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VILLAGE OF RICHFIELD  
VOUCHERS FOR PAYMENT

5a

APRIL 2015

BATCH #1

CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
9115		3/16/15	Sherri Luther	\$2,000.00	Road Bond Reimbursement
9116		3/18/15	Capital One Bank	\$2,025.93	Office Supplies and Expenses
9117		3/18/15	WE Energies	\$15.71	Heat and Electric
9118		3/18/15	Voided Check (Accidental Printing)		
9119	11541	3/18/15	Washington County	\$125.00	Engineering Service Fee - Bridge Inspection
9120	75633118	3/18/15	US Cellular	\$448.75	February Phone Bill
9121		3/18/15	Aurora Health Care	\$50.00	Annual Consortium Fee
9122	C308730	3/18/15	Office Copying Equipment LTD	\$217.73	Staples and Paper
9123-9155			March Payables		
9156		3/20/15	Anndelee Gregg	\$35.00	Mailbox Replacement
9157		3/20/15	WE Energies	\$574.84	Heat and Electric
9158		3/20/15	WE Energies	\$2,480.58	Heat and Electric
ACH		3/24/15	Village of Richfield Payroll	\$15,243.03	Bi-Weekly Payroll
ACH		3/24/15	Wisconsin Deferred Compensation	\$250.00	457 Plan (Payroll Deduction)
EFTPS		3/24/15	Federal Income Tax	\$5,628.49	FICA Tax
ACH		3/24/15	State Withholding Tax	\$1,135.32	WI State Withholding
9159		3/24/15	Postmaster	\$925.36	March Newsletter
ACH		3/26/15	Wisconsin Retirement	\$6,150.56	February Retirement Payment
9160		3/27/15	Village of Sussex	\$20.00	State Budget Presentation Expense
9161		3/30/15	A.F. Seideman Co.	\$27.65	Well-Tank Equipment Parks
9162		3/30/15	AT&T	\$187.10	February-March Phone Bill
9163		3/30/15	Charter Communications	\$136.12	Charter TV and Internet Charges
9164		3/30/15	WE Energies	\$1,052.15	Street Lighting Group Bill
9165		3/30/15	Delta Dental	\$206.80	April Dental Insurance
9166		3/30/15	Northshore Bank Leasing	\$718.04	April Lease Contract
9167	980913	3/30/15	Bubricks Office Supply, Inc.	\$83.97	Paper Supplies
ACH		3/30/15	United Health Care	\$10,636.63	April Health Insurance
			<b>TOTAL BATCH #1</b>	<b>\$50,374.76</b>	<b>Checks Written End of March 2015</b>

BATCH #2

CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
ACH		4/1/15	Village of Richfield P/R	\$2,046.14	Monthly Payroll
EFTPS		4/1/15	Federal Income Tax	\$555.57	FICA Tax
ACH		4/8/15	Village of Richfield P/R	\$720.27	Quarterly Payroll
9168		4/3/15	Village of Richfield P/R	\$27.70	Quarterly Payroll
9169		4/3/15	Village of Richfield P/R	\$83.11	Quarterly Payroll
9170		4/3/15	Village of Richfield P/R	\$27.70	Quarterly Payroll
9171		4/3/15	Village of Richfield P/R	\$83.11	Quarterly Payroll
ACH		4/3/15	Federal Income Tax	\$160.82	FICA Tax
ACH		4/7/15	Village of Richfield P/R	\$15,810.67	Bi-Weekly Payroll
EFTPS		4/7/15	Federal Income Tax	\$5,862.82	FICA Tax
ACH		4/7/15	State Withholding Tax	\$1,028.76	WI State Withholding
ACH		4/7/15	Wisconsin Deferred Compensation	\$250.00	457 Plan
9172	703328-2275-	4/7/15	Waste Management of Milwaukee	\$445.31	April Service Contract
9173		4/7/15	WE Energies	\$2,196.90	Street Lighting
9174		4/7/15	Neu's Building Center, Inc.	\$461.38	Park/Hwy Supplies and Expenses
9175		4/7/15	Von Briesen & Roper, SC	\$86.00	Insurance Teleconference
9176		4/7/15	Village of Richfield P/R	\$27.70	Quarterly Payroll
9177		4/8/15	Washington County Treasurer	\$3,789.00	March 31 Dog Licensing Settlement
9178		4/8/15	Board of Commissioners of Public Lands	\$4,880.60	Riverview Loan Payment
9179		4/8/15	Advanced Disposal Services	\$231.00	Waste Disposal Payment
			<b>TOTAL BATCH #2</b>	<b>\$38,774.56</b>	<b>Checks Written Beginning of April 2015</b>

VILLAGE OF RICHFIELD  
VOUCHERS FOR PAYMENT

APRIL 2015

**\*\*BATCH #3**

CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
	157846		Alumni Tank Inc.	\$880.72	Aluminum Fuel Tank
	10415		Arenz, Molter, Macy, Riffle, & Larson, S.C.	\$13,172.04	Attorney Services
	20309		Associated Appraisal Consultants Inc	\$3,958.33	Appraisal Services
	257610		Badger State Logistics	\$214.53	DPW Towels
	151321		Barton Small Engine LLC	\$11.61	Carb rebuild kit
			Capital One	\$619.56	Miscellaneous Office Expenses
	184-01653		Cintas Corporation	\$598.92	DPW Cleaning Contract
			Compass Minerals	\$33,189.85	Salt Contract
	9589		Competitive Mailing Solutions, LLC	\$106.90	PostBase Cartridge
	1540390315		Conley Media, LLC	\$87.72	Public Meeting Notices
	15321, 15355		Digital Edge	\$145.60	Voter Pad for the Election
			Equal Rights Division	\$105.00	Child Labor Permits
	W 21376		FABCO/CAT Equipment Inc.	\$1,703.23	Service repair to brake system
	3990		Falls Auto Parts	\$539.91	DPW Supplies
	WIJAC124258		Fastenal	\$47.49	Snow plow pivot bolts
	2130643		Force America Distributing, LLC	\$261.62	Hydraulic poppet valve
			Full Compass	\$4,084.02	New Audio System
	2087686		GAI Consultants	\$1,988.50	January through February Professional Services
	BILL00017049		General Code	\$1,721.55	Code Analysis
	V0078006		Hallman Lindsay	\$257.67	Soccer Striping
			<b>TOTAL BATCH #3</b>	<b>\$63,694.77</b>	<b>Checks Still Needing Approval***</b>

**\*\*BATCH #4**

CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
	307800		Hopson Oil LLC	\$4,316.11	March Gas
	M55203		Imperial	\$131.86	DPW Supply Stock
	3041001		International Code Council Inc.	\$125.00	Annual Building Inspector Membership
			Kunkel Engineering	\$6,267.75	Hwy Improvement & General Engineering Expenses
			Lakeside International LLC	\$734.61	DPW truck supplies
	5250960020		Machine Services Inc.	\$440.00	Truck #12 King Pins
			Menards	\$251.44	Park and Hwy Supplies
			Ontech systems, inc.	\$15,019.50	Computer Install and Quarterly Visit
			Piggly Wiggly	\$10.92	General Office Supplies
			Port-A-John	\$272.00	Service Pump
			Quill	\$235.39	General Office Supplies
			Road Equipment Parts Center	\$261.42	DPW truck supplies
			Richfield Volunteer Fire Company	\$38,635.32	Fire and Emergency Services Contract
	8564		Schmitt Sanitation LLC	\$90.00	Pump Holding Tank
	1045		Washington County	\$35.10	Memory card programming for the Spring election
	8176		Washington County Sheriff	\$23,490.01	Sheriff Contract Services for March
	G2545		Wisconsin Dept of Justice	\$35.00	Background Checks
	10624		Wisconsin Legal Blank	\$397.50	Absentee Voter Envelopes
			<b>TOTAL BATCH #4</b>	<b>\$90,748.93</b>	<b>Checks Still Needing Approval***</b>



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**VILLAGE OF RICHFIELD**  
Treasurer's Report for March 31, 2015

**BANK ACCOUNT BALANCES**

	Interest Rate	Beginning Balance February 28, 2015	Interest Earned	Ending Balance March 31, 2015
Landmark Checking Account	0.25%	\$ 2,758,452.08	\$ 339.17	\$ 1,444,634.35
LGIP General Fund	0.12%	\$ 736,820.09	\$ 74.52	\$ 736,894.61
LGIP Fire Impact Fees	0.12%	\$ 182,153.55	\$ 18.49	\$ 182,926.04
LGIP Park Impact Fees	0.12%	\$ 63,569.26	\$ 6.43	\$ 63,575.69
LGIP Tax Account	0.12%	\$ 460.79	\$ 0.05	\$ 460.84
FNB Entrepreneur Plus Account	0.05%	\$ 2,711.17	\$ 0.12	\$ 2,711.29
FNB Platinum MMD Account	0.15%	\$ 257,327.79	\$ 33.84	\$ 257,361.63
Bank Mutual MM Account	0.33%	\$ 250,794.79	\$ 78.67	\$ 250,873.46

**CERTIFICATES OF DEPOSIT**

	Purchase Date	Expiration Date	Interest Rates	Amount
First National Bank	October 31, 2014	October 31, 2015	0.35%	\$ 250,662.23
Bank Mutual	March 3, 2015	October 3, 2016	1.05%	\$ 251,378.31

\*\* All CD's are fully FDIC insured\*\*

**LETTERS OF CREDIT/PERFORMANCE BONDS/DEVELOPER GUARANTEES**

	Purchase Date	Expiration Date	Amount
Reflections Richfield Investments LLC	March 11, 2014	March 16, 2016	\$ 712,650.00
Reflections Richfield Investments LLC	March 11, 2014	March 16, 2016	\$ 150,000.00

**PERMIT PERFORMANCE BOND**

	Held Since	Expiration Date	Amount
T-Mobile Central LLC Wireless Communication Tower	March 11, 2014	N/A	\$ 25,000.00

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**1. Call to Order/ Roll Call**

The meeting was called to order by Village President John Jeffords at 7:33 pm. A quorum of the Village Board was present. Present: Village President John Jeffords; Village Board of Trustees; Rock Brandner, Bill Collins, Dan Neu and Sandy Voss.

Also present: Village Administrator Jim Healy, Administrative Services Coordinator KateLynn Schmitt, and Village Attorney John Macy.

**2. Verification of Compliance With Open Meeting Law**

Village Administrator Healy verified that the meeting was posted per statute at three local post offices and the Village Hall. Digital copies of the agenda were sent to the West Bend Daily News, Germantown Express News, Hartford Times Press, and the Milwaukee Journal Sentinel.

**3. Pledge of Allegiance**

**4. REPORT**

**a. "Maker's Lab" Presentation- Friess Lake School District Administrator John Engstrom**

John Engstrom gave an overview of the new techniques being used in the makers mark lab to promote growth and development at Friess Lake School. Engstrom indicated that the continued success of the program would largely be dependent on the school board and community members buy in to the potential of the program.

**b. "Status of Richfield's Groundwater Monitoring Program" Presentation - Dr. Douglas Cherkauer**

Dr. Douglas Cherkauer gave a power point presentation regarding the changes in the groundwater levels throughout the Village and potential reasons for those changes. Dr. Cherkauer also commended the Village Board for adhering to their land use plan. Copies of the presentation were requested to be placed online for the general public.

President Jeffords proposed to move agenda item number 8 b. to follow the public comments section of the meeting.

Motion by Trustee Neu to move agenda item 8b. Discussion/Action Ordinance O2015-03-01, an ordinance to amend multiple parcels on the Village's Official Zoning Map from M-5, Mineral Extraction District to Rs-1, Country Estate District and Rs-1R, Country Estate/Remnant Parcel District; Seconded by Trustee Voss; Motion carried unanimously.

**5. PUBLIC COMMENTS**

Rodger Kuehn, 546 Jordan Circle stated he would like to see a sheet spelling out the potential impact of a landfill. A plan of action outlining how many trucks would drive through a day and how many days a week the landfill would be operating are just two of the questions that still remain unanswered. Kuehn expressed concern about the potential truck noise, odor and pollution that would be generated from the dumping activities.

James Bloor, 3204 Willow Creek Road expressed concern about well water and also raised the question of how often well water would be tested for contamination at Amy Belle School. Bloor stated his concern about the potential for students to drink contaminated water for any extended period of time.

Danah Zoulek, 623 Amy Belle Road stated that water contamination at Amy Belle School would not be an issue. The Zoulek's have been coordinating with the Department of Natural Resources (DNR) to propose a potential clean fill collection site. This site would not be a landfill or hazardous waste facility. Zoulek then read a portion of a letter from the Holz family indicating their dissent against the zoning change.

Gil Frank, 4156 Willow Creek Road did not believe the zoning should be changed. Frank believed that now would be a good time for the Village to do something useful with the land.

Anna Conkey, 234 Scenic Ridge Court stated that she is new to the community and is concerned about the safety of her children due to the potential increased traffic flow. Conkey recently discovered that the groundwater at her home is terrible. Conkey asked who would be monitoring the groundwater for the surrounding residents and community members closest in proximity to the landfill. Conkey believes that the development of the land as a landfill would be putting one family's financial gain in front of other residents' health and well-being.

Paul Craig, 501 Scenic Road asked Trustee Brandner and Voss to state their position on the proposed landfill because they were up for re-election. Craig also stated he would like the Village to fight the potential landfill action at the state level.

## 8. DISCUSSION/ACTION ITEMS

- b. **Discussion/Action regarding Ordinance O2015-03-01, an ordinance to amend multiple parcels on the Village's Official Zoning Map from M-5, Mineral Extraction District to Rs-1, Country Estate District and Rs-1R, Country Estate/Remnant Parcel District**

Motion by Trustee Voss to approve Ordinance O2015-03-01, an Ordinance to rezone certain parcels of land in the Village of Richfield and to amend the Zoning Map of the Village of Richfield pursuant to Sect. 70.163 of the Municipal Code

Trustee Neu stated that if the Scenic Road pit was still an active mining operation today he could see where filling it in made sense. Since the site hasn't been active for 40+ years and since the beginning of its inactivity numerous residential subdivisions have moved into the immediate surrounding area, he no longer sees filling the pit as a decision made in the best interest for all of the residents in the Village of Richfield.

Trustee Collins thanked everyone in the audience for taking an interest and coming to these meetings. The Village Board and Staff continue to make decisions that benefit the entire Village at-large. Trustee Collins stated he would be more than willing to 'take this issue to the mat' to protect the groundwater.

President Jeffords echoed Trustee Collins' comments and discussed the importance of our groundwater to the sustainability of our community for generations to come.

President Jeffords called the issue to question; the motion was seconded by Trustee Brandner; Motion carried unanimously.

President Jeffords proposed a five (5) minute break to allow those residents wishing to leave the ability to do so.

President Jeffords called the meeting back to order.

## 6. CONSENT AGENDA

- a. **Vouchers for Payment**
- b. **Treasurer's Report**
- c. **Meeting Minutes:**
  - i. **February 19, 2015 – Regular Meeting**
- d. **New Operator Licenses**
- e. **CTP-200, Cigarette license – Citgo Gas Station**

Motion by Trustee Brandner to approve the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from February 19th, new Operator Licenses, and new cigarette license for Citgo at 1306 State Road 175; Seconded by Trustee Voss; Motion carried unanimously.



## 7. PUBLIC HEARING

### a. Discussion regarding Ordinance O2015-03-02, an ordinance to update impact fees for the Village of Richfield for both fire and parks

Administrator Healy introduced Jon Cameron from Ehlers and Associates.

Mr. Cameron gave a presentation about the findings of the impact fee study, and the proposed changes.

Motion by Trustee Brander to open the public hearing; Seconded by Trustee Voss; Motion carried unanimously.

Gil Frank, 4156 Elmwood Road questioned whether or not impact fees were even needed and stated that additional studies should be done by the Fire Company about the location of a potential new station.

Kristine Schaffel, 3545 N. Shore Drive spoke about an incident that happened when she lived at 1919 Railroad Street. A fire truck was unable to get to the scene of an accident because of a railroad crossing blocking its path. She asked that the Richfield Volunteer Fire Company and Village Board take those types of potential road blocks into consideration when deciding on the location for their fire stations.

Motion by Trustee Voss to close the public hearing; Seconded by Trustee Brandner; Motion carried unanimously.

## 8. DISCUSSION/ACTION ITEMS

### a. Discussion/Action regarding Ordinance O2015-03-02, an ordinance to update impact fees for the Village of Richfield for both fire and parks.

Trustee Neu asked attorney Macy whether or not he should recuse himself from this issue as the impact fees are linked to the Richfield Volunteer Fire Company (RVFC).

Attorney Macy stated there was technically no reason for Trustee Neu to do so, although he may choose to do so in order to avoid misinterpretations.

Jon Cameron also stated the Board would be voting to approve the fees, not to approve any specific projects by either the Village or RVFC.

Trustee Neu elected to recuse himself and left the room.

Trustee Collins stated that impact fees affect only those new residents moving into the Village of Richfield and in no way affect current residents.

Trustee Voss stated that the park impact fee were first initiated in 2006 and the fire impact fees were initiated in 2009. Trustee Voss asked if there were any best practices in regards to updating impact fees?

Jon Cameron stated that best practices are usually updates to fee's every five (5) years.

Motion by Trustee Collins to approve Ordinance O2015-03-02, an Ordinance to update the impact fee rates for both fire and parks as prepared by Ehlers, Inc.; Seconded by Trustee Brandner; Motion carried unanimously.

Trustee Neu returned.



**c. Discussion/Action regarding the creation of a one lot Certified Survey Map, Tax Keys:  
V10\_1302011 and V10\_1302012**

Motion by Trustee Brandner to approve the certified survey map for Jungkuntz Trust, subject to the Specific and General Conditions of Approval listed below:

Specific Conditions of Approval:

1. That the comments from Village's Engineer dated February 10, 2015 be addressed to his satisfaction.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; of for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Neu; Motion carried unanimously.

**d. Discussion/Action regarding the approval of a two-lot Certified Survey Map, Tax Key:  
V10\_0754**

Motion by Trustee Voss to approve the certified survey map for Elizabeth Jennaro, subject to the conditions listed below:

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; of for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the

requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Neu; Motion carried unanimously.

**e. Discussion/Action regarding the creation of a one-lot Certified Survey Map, Tax Key: V10\_088300C**

Motion by Trustee Neu to approve the certified survey map for Moraine Development, LLC, subject to the Specific and General Conditions of Approval listed below:

Specific Conditions of Approval:

1. That the comments from Village's Engineer dated February 12, 2015 be addressed to his satisfaction.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; of for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Collins; Motion carried unanimously.

**f. Discussion and possible recommendation to the Village Board regarding a Preliminary Plat for Bridlewoods Estate**

Motion by Trustee Brandner to approve the preliminary plat for Bridlewood Estates subdivision, subject to the general and specific conditions of approval listed below.

Specific Conditions of Approval:

1. Redesign Lot 14 so there is a 50-foot separation to the wetland located in Outlot 2.
2. The plat must show all required features listed in the Village's land division regulations (Chapter 330), including but not limited to the following:
  - a. signature blocks for surveyor, property owner, village clerk-treasurer, county treasurer, and village board.
  - b. mortgagee certification block if the property owner has a mortgage on the property.
3. The subdivider shall provide documentation from Washington County to the Village Administrator indicating that each residential lot has a suitable site for a septic system.
4. The subdivider shall comply with the requirements in Section 70.193(J) of the municipal code with respect to "open space area ownership and maintenance requirements."



5. Prior to any land-altering activity, the subdivider shall submit a stormwater management agreement to the Village Board and obtain approval of the same. Any necessary access easements shall be described with a legal description acceptable to the Village Engineer.
6. Prior to any land-altering activity, the subdivider shall submit all required plans (e.g., construction plans, stormwater management, and erosion control) to the Village Engineer and obtain approval of the same.
7. Prior to any land-altering activity, the subdivider shall submit an application for a groundwater permit to the Village Administrator as set forth in Article III of Chapter 167 of the municipal code and obtain approval of the same.
8. The subdivider shall install all improvements prior to submitting the final plat as required by Chapter 330 of the municipal code, in particular Sections 330-60 and 330-60A.
9. The subdivider shall provide all financial guarantees for any improvements as may be required by Chapter 330 of the municipal code.
10. A note shall be added to the face of the plat indicating that all private driveways shall be designed and constructed in compliance with Village standards, including a maximum grade of 12 percent.
11. A notation shall be added to the wetland in Outlot 2 stating who made the delineation and when, and that such delineation was approved by the US Army Corps of Engineers with a reference to the letter dated February 17, 2015.
12. Include a copy of the Wetland Delineation Report dated October 29, 2014 with the final plat application.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; of for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Neu; Motion carried unanimously.

**g. Discussion/Action regarding the contract renewal for Liturgical Publications, Inc. to publish the "*Richfield Happenings*" newsletter.**

Motion by Trustee Collins to authorize the Village Administrator to execute an agreement with Liturgical Publications, Inc to provide publishing services for the Village of Richfield newsletter, *Richfield Happenings*;  
Seconded by Trustee Voss; Motion carried unanimously.

**9. PUBLIC COMMENTS (...Continued)**

No spoke

**10. CLOSED SESSION**

- a. **Discussion/Action to enter into closed session under Wis. Stats. 19.85(1)(g) update from legal counsel for the governing body who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which it is or is likely to become involved.- Specifically regarding property at 3090 Polk Street.**

President Jeffords read 10a. aloud.

Motion by Trustee Neu to enter into closed session under Wis. Stats. 19.85(1)(g) update from legal counsel for the governing body who is rendering oral or written advice concerning strategy to be adopted by the governing body with respect to litigation in which it is or is likely to become involved.- Specifically regarding property at 3090 Polk Street. Seconded by Trustee Voss; Motion carried unanimously by roll call vote.

## **11. RECONVENE IN OPEN SESSION**

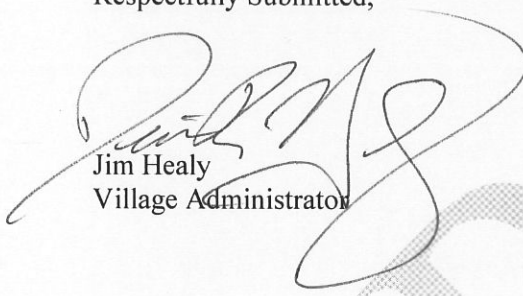
- a. **Discussion/Action regarding matters address in Closed Session as outlined above**

Motion by Trustee Brandner to reconvene in open session; Seconded by Trustee Collins; Motion carried unanimously by roll call vote.

## **12. ADJOURNMENT**

Motion by Trustee Collins to adjourn the meeting at 9:37 pm; Seconded by Trustee Brandner; Motion carried unanimously.

Respectfully Submitted,



Jim Healy  
Village Administrator



5 d

April 16, 2015

Meeting

**New Operator Licenses**

<b>Name</b>	<b>Place of Employment</b>	<b>Course or valid license</b>	<b>Recommendation</b>
Carley C. Arand	Uncle Johnny's	Course	Approved
Kraig S. Bahr	Hairy Lemon Irish Pub	Course	Approved
Meghan L. Graff	Arrowhead Golf Course	Course	Approved
Kayla S. Pierce	The Alpine Retreat	Course	Approved
Fred R. Pongracic	Hairy Lemon Irish Pub	Course	Approved

5 e

STATE OF WISCONSIN

VILLAGE OF RICHFIELD

WASHINGTON COUNTY

**RESOLUTION R2015-04-02**

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**A RESOLUTION AMENDING THE FEE SCHEDULE FOR THE VILLAGE OF RICHFIELD**

---

WHEREAS, the Village Board of the Village of Richfield, Washington County, Wisconsin, has determined that it is prudent that the fees be reviewed for cost effectiveness; and

WHEREAS, modifications have been identified and revisions requested to the fee schedule.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Richfield, that the following fee schedule be approved as defined in the attached schedule and be effective upon passage and posting of this resolution.

PASSED THIS 16<sup>TH</sup> DAY OF APRIL, 2015 BY THE VILLAGE BOARD OF THE VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

---

John Jeffords, Village President

---

Attest: Jim Healy, Administrator/Clerk



Mobile Park License (248-3)	\$50.00 (248-5)
Transfer fee	\$25.00
Parking fee for nonexempt mobile home	Per §66.0435(3)(c)
Operator Licenses	
New	\$50.00
Provisional	\$7.00/60 days
Renewal	\$25.00
Replacement/Additional License	\$2.00
Temporary	\$7.00/14 days
Peddler, Hawker, Canvasser, Solicitor	\$100.00
Secondhand Coin and Antique Dealer License	\$100.00 (143-35)
Solid Waste Hauler License Fee	\$150.00
Target Range	\$10.00/year
Temporary Street Closure License	\$50
Trap Range	\$50.00/year
Utility/Right of Way Permit	\$75.00
Weights and Measures Annual Permit	\$30.00
Heavy Capacity Device/Scanner	\$16.50/unit
Small counter scale or liquid	\$14.7515.00/unit
Work Permits	Per State requirements

Planner Billing Rate	\$100.00/hour
Sign Review	\$100.00
Master Plan Amendment	\$350.00
Conceptual Review	\$150.00
Land Combination	\$450.00
Pre Plat Review	\$1,000.00
Final Plat Review	\$1,000.00
Extraterritorial Review	\$400.00
Walkable Hamlet District Residential Plan Review	\$300.00
Shoreland/Wetland/Floodplains	<b><u>\$150.00</u></b>
Accessory Buildings, Pools	\$79.00
New residential, commercial, industrial, agricultural buildings and projects	\$185.00
Additions to residential, commercial, industrial, agricultural buildings and projects	\$160.00
Field determination	\$50.00/1 <sup>st</sup> hour, \$20.00/additional hour(s)
Certificate of compliance/wetland and floodplain letter	\$28.00
Letter of Credit Processing	\$50.00
Home Occupation Major	See Conditional Use fee
Home Occupation Minor	\$75.00

Failure to obtain proper permits in advance will result in double fees.

Wrecking or razing (building inspector may waive fee if structure is condemned)	\$55.00 minimum + \$0.08/square foot
Moving buildings over public ways	\$150.00, plus \$0.05/square foot
Re-Inspection	\$50.00/inspection
Plan examination:	
a. One- and two-family residence	\$200.00
b. Apartment, three-family residence row housing, multifamily building	\$200.00, plus \$20.00/unit
c. Commercial and industrial alterations and additions	\$250.00
d. Additions to one- and two-family	\$75.00
e. Alterations to one- and two-family	\$50.00
f. Accessory building, 240 square feet or more	\$50.00
g. Decks, swimming pools	\$50.00
h. Heating plans, submitted separately	\$50.00
Special inspections and reports	\$100.00
State uniform building permit seal	state fee, plus \$10.00
Road bond	\$2,000.00
House numbers	\$10.00
Occupancy permits:	
a. Residential	\$50.00/unit, addition or accessory use
b. Office, commercial, industrial	\$175.00
c. <u>Change of Tenant</u>	<u>\$100.00</u>
Pools:	
a. Inground	\$11.00/\$1,000.00 valuation, \$50.00 minimum
b. Aboveground	\$11.00/\$1,000.00 valuation, \$75.00 minimum
Decks	<del>\$50.00</del> <b>\$75.00</b> plus plan review
Roofing/Siding	\$11.00/\$1,000.00 valuation, \$100.00 maximum
Erosion control fees:	

5 f



## BOARD OF REVIEW

7 Members: 5 regular, 2 alternates

2 may be President or Trustees

Two year terms

Board appoints all in April

President chooses a Chair and Vice Chair from those appointed by the Board

Current Members		Current Terms End		Notes
Carol Robinson, Chair		2015		President with Board Approval
Sandy Voss, Vice Chair		2015		President with Board Approval
Sandy Stuetgen		2015		Board
Rick Hillman		2015		Board
Thomas Lechner		2015		Board
Don Filipiak-1 <sup>st</sup> Alternate		2015		Board
Rock Brandner-2 <sup>nd</sup> Alternate		2015		Board

6 a

Will be presented at the Board Meeting

6 b





VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 66

MEETING DATE: April 16, 2015

SUBJECT: Creation of a one-lot CSM, Tax Keys: V10\_0486 and V10\_048700A  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION FOR THE APPROVAL OF THE PROPOSED ONE-LOT CSM?*

*ISSUE SUMMARY:*

Badger Home Builders, Inc. has submitted a proposed certified survey map (CSM) that would combine two legally established parcels to create a one lot parcel consisting of 13534sf (0.31ac) zoned F-1, Floodplain District. Lots 1 and 2 in this subdivision block are currently vacant. The new property owner desires to combine these recently purchased lots with the intention of constructing a single family home. Of particular note with this proposed CSM is the fact that Riverview Drive as platted versus as constructed is markedly different. The roadway of Riverview Drive actually encroaches fairly significantly onto the property owner's land. The 25' wide gap between the south side of these two parcels and the boat lots is a public easement to reach the same.

Given the fact that both Lots are currently vacant, the combination of these lots does not bring about any undesired zoning conflicts. In fact, as a general rule, Staff finds it easier to approve lot combinations due to our zoning regulations than lot divisions. However, it is important to note that due to the property being zoned as "Floodplain" before any land disturbing activity is to take place, which must be approved to ensure compliance with the DNR standards adopted into our zoning code last November.

The Village Engineer completed his review of the proposed CSM on March 26, 2015 and has conditionally approved it based on his suggested changes being addressed by the surveyor. They are shown in REDLINE for your convenience.

The CSM was originally submitted to the Village on March 6, 2015. As required by state statute (s. 236.34(f)) the Village Board must take action within 90 days of that date, unless the time is extended by agreement with the subdivider. On April 2, 2015 the Plan Commission considered the same and the following motion was made:

Motion by Trustee Collins to recommend to the Village Board the approval of the certified survey map for Badger Home Builders Inc., subject to the Specific and General Conditions of Approval listed below:

Specific Conditions of Approval:

1. That the comments from Village's Engineer dated March 26, 2015 be addressed to his satisfaction.
2. That the Plan Commission signature block be removed
3. That on the Village Board signature block "Laura Johnson, Deputy Clerk" be replaced with "Jim Healy, Village Administrator/Clerk"
4. That prior to signing the CSM, Village Attorney John Macy review it for content and form

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 66

MEETING DATE: April 16, 2015

SUBJECT: Creation of a one-lot CSM, Tax Keys: V10\_0486 and V10\_048700A  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

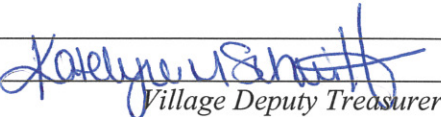
documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.

3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Commissioner Lalk; Motion passed without objection.

FISCAL IMPACT:

REVIEWED BY:

  
Village Deputy Treasurer

Initial Project Costs: NA

Future Ongoing Costs: NA

Physical Impact (on people/space): Creation of one-lot CSM

Residual or Support/Overhead/Fringe Costs: NA

ATTACHMENTS:

1. CSM Prepared by Pete Baily, RLS drafted on March 3, 2015
2. Village Engineer CSM with REDLINE markup dated March 26, 2015
3. Washington County GIS-Aerial overview of subject properties



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 66

MEETING DATE: April 16, 2015

SUBJECT: Creation of a one-lot CSM, Tax Keys: V10\_0486 and V10\_048700A  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

**STAFF RECOMMENDATION:**

Motion to approve the certified survey map for Badger Home Builders Inc., subject to the Specific and General Conditions of Approval listed below:

**Specific Conditions of Approval:**

1. That the comments from Village's Engineer dated March 26, 2015 be addressed to his satisfaction.
2. That the Plan Commission signature block be removed
3. That on the Village Board signature block "Laura Johnson, Deputy Clerk" be replaced with "Jim Healy, Village Administrator/Clerk"
4. That prior to signing the CSM, Village Attorney John Macy review it for content and form

**General Conditions of Approval:**

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

APPROVED FOR SUBMITTAL BY:

  
Village Staff Member  
  
Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_



BEING A REDIVISION OF LOTS 1 AND 2 OF "FRIESS LAKE SUBDIVISION", A SUBDIVISION OF THE FRACTIONAL NORTHWEST ¼ OF SECTION 17, TOWN 9 NORTH, RANGE 19 EAST, IN THE VILLAGE OF RICHFIELD, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

**PREPARED BY:**

AMERICAN SURVEYING COMPANY, INC.  
12207 C.T.H. "K", NORTH CAPE  
FRANKSVILLE, WI. 53126-9691  
(262) 835-4774

**OWNER'S ADDRESS:**

BADGER HOME BUILDERS, INC.  
1323 POPLAR DRIVE  
WAUKESHA, WI. 53188

**LEGEND:**

o-Denotes No. 6 Rebar, 3/4" Dia., 24" Long, 1.50 lbs/  
In.ft., w/cap

●-Denotes Iron Pipe/Rod Found

ALL BEARINGS ARE REFERENCED TO GRID NORTH  
OF THE WISCONSIN STATE PLANE COORDINATE  
SYSTEM, SOUTHERN ZONE. NORTH LINE OF NW 1/4  
N88°51'16"E

**SURVEYOR'S CERTIFICATE:**

STATE OF WISCONSIN)  
COUNTY OF RACINE )<sup>ss</sup>

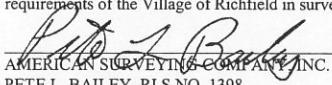
I, PETE L. BAILEY, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a tract of land being a redivision of Lot 1 and 2, Block 3 of "Friess Lake Grove" a subdivision in the Fractional Northwest ¼ of Section 17, Town 9 North, Range 19 East, in the Village of Richfield, County of Washington, State of Wisconsin, bounded and described as follows: Commence at the Northwest corner of said Section; thence North 88°51'16" East for a 160.04 feet, along the North line of said ¼ Section, to a point; thence South 00°47'05" East for a distance of 716.84 feet, parallel to the West line of said ¼ Section, to the point of beginning; thence South 00°26'20" West for a distance of 121.30 feet, to a point; thence South 74°26'40" East for a distance of 79.50 feet, to a point; thence South 38°12'36" East for a distance of 19.18 feet, to a point; thence North 12°32'20" East for a distance of 143.77 feet, to a point; thence North 81°42'40" West for a distance of 120.00 feet, to the point of beginning. Contains 13,534 sf.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have made such survey, land division and map at the direction of the owner's of said lands.

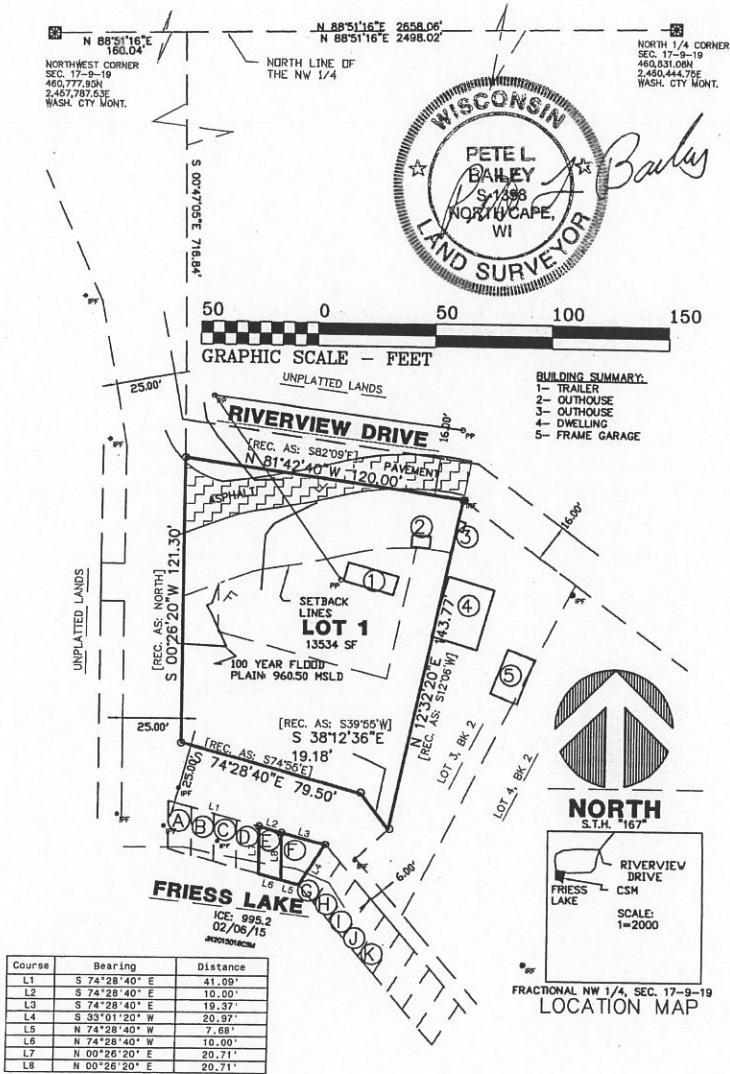
THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the requirements of the Village of Richfield in surveying, dividing and mapping the same.

  
AMERICAN SURVEYING COMPANY, INC.  
PETE L. BAILEY, RLS NO. 1398  
DATED THIS 3RD DAY OF MARCH, 2015.





CERTIFIED SURVEY MAP NO. \_\_\_\_\_ SHEET 2 OF 3  
BEING A REDIVISION OF LOT 1 AND 2, BLOCK 3 OF "FRIESS LAKE GROVE", A  
SUBDIVISION IN THE FRACTIONAL NORTHWEST 1/4 OF SECTION 17, TOWN 9 NORTH,  
RANGE 19 EAST, IN THE VILLAGE OF RICHFIELD, COUNTY OF WASHINGTON, STATE OF  
WISCONSIN.



BEING A REDIVISION OF LOTS 1 AND 2, BLOCK 3 OF "FRIESS LAKE GROVE," A SUBDIVISION IN THE FRACTIONAL NORTHWEST ¼ OF SECTION 17, TOWN 9 NORTH, RANGE 19 EAST, IN THE VILLAGE OF RICHFIELD, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

**CORPORATE OWNER'S CERTIFICATE:**

BADGER HOME BUILDERS, INC., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map.

BADGER HOME BUILDERS, INC., does further certify that this map is required by s. 236.34 to be submitted to the following for approval or objection: VILLAGE OF RICHFIELD

IN WITNESS WHEREOF, the said BADGER HOME BUILDERS, INC., has caused these presents to be signed by, DANIEL TINTI, its PRESIDENT, at Waukesha, Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

IN THE PRESENCE OF:

BADGER HOME BUILDERS, INC.

\_\_\_\_\_  
DANIEL J. TINTI, PRESIDENT

**STATE OF WISCONSIN)  
COUNTY OF WAUKESHA)SS**

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the above named Daniel J. Tinti, the President of BADGER HOME BUILDERS, INC, to me known to be the person who executed the foregoing instrument and acknowledge the same as the act of the owner, by its authority.

\_\_\_\_\_  
NOTARY PUBLIC  
COUNTY OF \_\_\_\_\_, STATE OF WISCONSIN  
My commission expires \_\_\_\_\_.

**VILLAGE PLANNING COMMISSION APPROVAL:**

APPROVED by the Village Board of the Village of Richfield this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
JOHN JEFFORDS, VILLAGE PRESIDENT

\_\_\_\_\_  
LAURA JOHNSON, DEPUTY CLERK

**VILLAGE BOARD APPROVAL:**

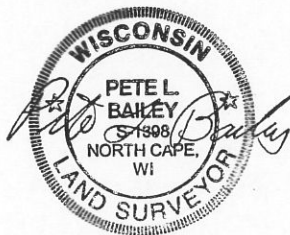
APPROVED by the Village Board of the Village of Richfield this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
JOHN JEFFORDS, VILLAGE PRESIDENT

\_\_\_\_\_  
LAURA JOHNSON, DEPUTY CLERK

This instrument was drafted by Pete L. Bailey.

G:\MyFiles\WPCERTS\BADGERCSM



## Jim Healy

---

**From:** Michael Rubendall <m.rubendall@gaiconsultants.com>  
**Sent:** Thursday, March 26, 2015 9:18 AM  
**To:** Jim Healy  
**Cc:** Ronald Dalton  
**Subject:** Badger Home Builders CSM | Review Comments  
**Attachments:** CSM with Review Comments\_032515.pdf

Jim,

We have completed our review of the proposed Certified Survey Map (CSM). Our comments can be found on the attachment.

We can recommend approval contingent on our comments being addressed.

Please contact me with any questions.

Regards,  
Mike,  
GAI Consultants, Inc.

BEING A REDIVISION OF LOTS 1 AND 2 OF "FRIESS LAKE SUBDIVISION", A SUBDIVISION OF THE FRACTIONAL NORTHWEST ¼ OF SECTION 17, TOWN 9 NORTH, RANGE 19 EAST, IN THE VILLAGE OF RICHFIELD, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

**PREPARED BY:**  
AMERICAN SURVEYING COMPANY, INC.  
12207 C.T.H. "K", NORTH CAPE  
FRANKSVILLE, WI. 53126-9691  
(262) 835-4774

**OWNER'S ADDRESS:**  
BADGER HOME BUILDERS, INC.  
1323 POPLAR DRIVE  
WAUKESHA, WI. 53188

**LEGEND:**  
o-Denotes No. 6 Rebar, 3/4" Dia., 24" Long, 1.50 lbs/  
ln.ft., w/cap  
●-Denotes Iron Pipe/Rod Found  
ALL BEARINGS ARE REFERENCED TO GRID NORTH  
OF THE WISCONSIN STATE PLANE COORDINATE  
SYSTEM, SOUTHERN ZONE. NORTH LINE OF NW 1/4  
N88°51'16"E

Note outside diameter.

**SURVEYOR'S CERTIFICATE:**

STATE OF WISCONSIN)  
COUNTY OF RACINE )"

I, PETE L. BAILEY, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a tract of land being a redivision of Lot 1 and 2, Block 3 of "Friess Lake Grove" a subdivision in the Fractional Northwest ¼ of Section 17, Town 9 North, Range 19 East, in the Village of Richfield, County of Washington, State of Wisconsin, bounded and described as follows: Commence at the Northwest corner of said Section; thence North 88°51'16" East for a 160.04 feet, along the North line of said ¼ Section, to a point; thence South 00°47'05" East for a distance of 716.84 feet, parallel to the West line of said ¼ Section, to the point of beginning; thence South 00°26'20" West for a distance of 121.30 feet, to a point; thence South 74°26'40" East for a distance of 79.50 feet, to a point; thence South 38°12'36" East for a distance of 19.18 feet, to a point; thence North 12°32'20" East for a distance of 143.77 feet, to a point; thence North 81°42'40" West for a distance of 120.00 feet, to the point of beginning. Contains 13,534 sf.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

Sheet 2 shows "S74° 28'40"E"

THAT I have made such survey, land division and map at the direction of the owner's of said lands.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the requirements of the Village of Richfield in surveying, dividing and mapping the same.

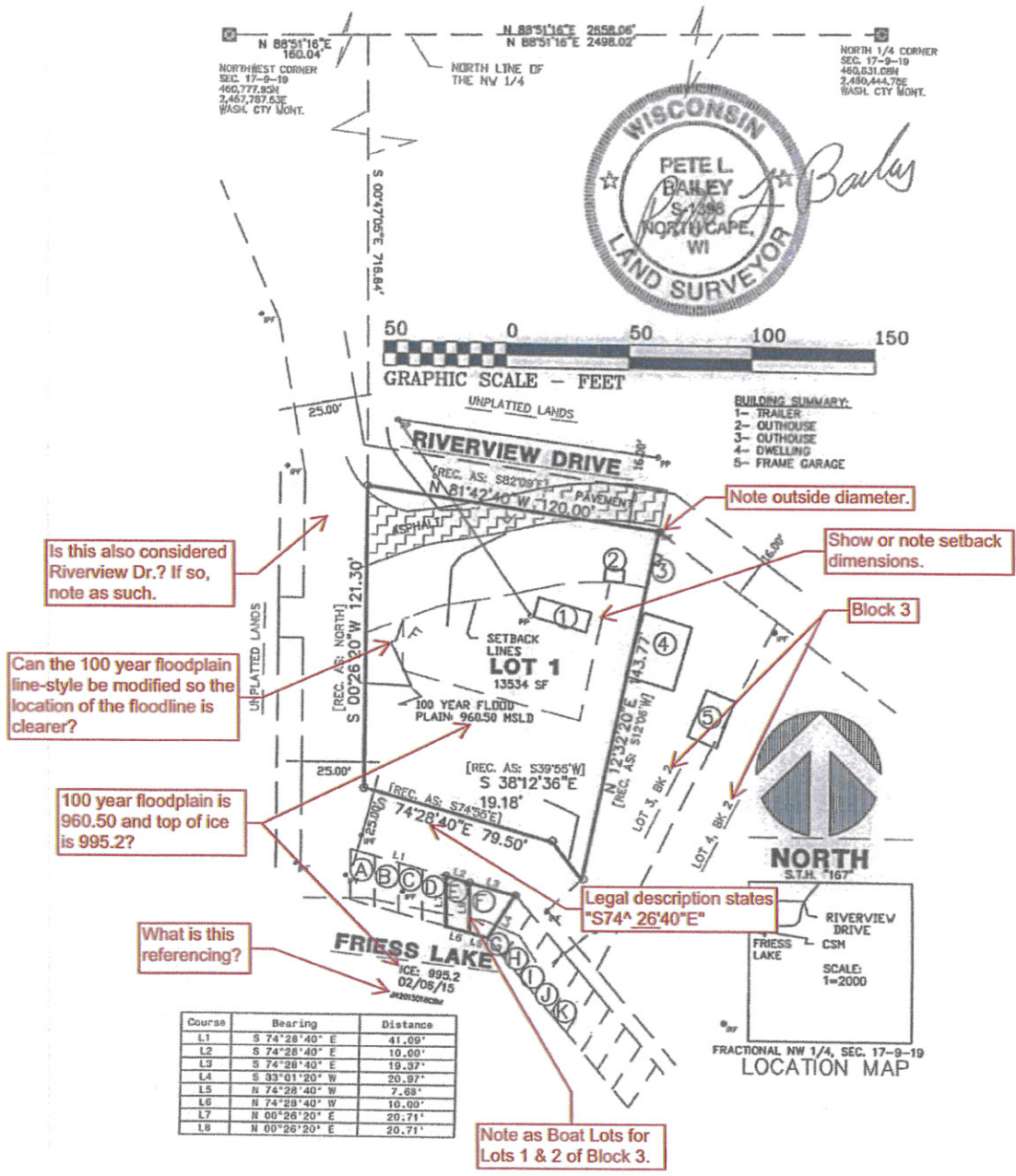
*Pete L. Bailey*  
AMERICAN SURVEYING COMPANY, INC.  
PETE L. BAILEY, RLS NO. 1398  
DATED THIS 3RD DAY OF MARCH, 2015.





"LOTS"

CERTIFIED SURVEY MAP NO. \_\_\_\_\_ SHEET 2 OF 3  
 BEING A REDIVISION OF LOT 1 AND 2, BLOCK 3 OF "FRIESS LAKE GROVE", A  
 SUBDIVISION IN THE FRACTIONAL NORTHWEST 1/4 OF SECTION 17, TOWN 9 NORTH,  
 RANGE 19 EAST, IN THE VILLAGE OF RICHFIELD, COUNTY OF WASHINGTON, STATE OF  
 WISCONSIN.



CERTIFIED SURVEY MAP NO. \_\_\_\_\_ SHEET 3 OF 3

BEING A REDIVISION OF LOTS 1 AND 2, BLOCK 3 OF "FRIESS LAKE GROVE, A SUBDIVISION IN THE FRACTIONAL NORTHWEST ¼ OF SECTION 17, TOWN 9 NORTH, RANGE 19 EAST, IN THE VILLAGE OF RICHFIELD, COUNTY OF WASHINGTON, STATE OF WISCONSIN.

**CORPORATE OWNER'S CERTIFICATE:**

BADGER HOME BUILDERS, INC., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map.

**No dedications are proposed by this CSM.**

BADGER HOME BUILDERS, INC., does further certify that this map is required by s. 236.34 to be submitted to the following for approval or objection: VILLAGE OF RICHFIELD

IN WITNESS WHEREOF, the said BADGER HOME BUILDERS, INC., has caused these presents to be signed by, DANIEL TINTI, its PRESIDENT, at Waukesha, Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

IN THE PRESENCE OF:

BADGER HOME BUILDERS, INC.

\_\_\_\_\_  
DANIEL J. TINTI, PRESIDENT

STATE OF WISCONSIN)  
COUNTY OF WAUKESHA)SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the above named Daniel J. Tinti, the President of BADGER HOME BUILDERS, INC. to me known to be the person who executed the foregoing instrument and acknowledge the same as the act of the owner, by its authority.

\_\_\_\_\_  
NOTARY PUBLIC  
COUNTY OF \_\_\_\_\_, STATE OF WISCONSIN  
My commission expires \_\_\_\_\_.

**VILLAGE PLANNING COMMISSION APPROVAL:**

APPROVED by the Village Board of the Village of Richfield this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
JOHN JEFFORDS, VILLAGE PRESIDENT

\_\_\_\_\_  
LAURA JOHNSON, DEPUTY CLERK

**VILLAGE BOARD APPROVAL:**

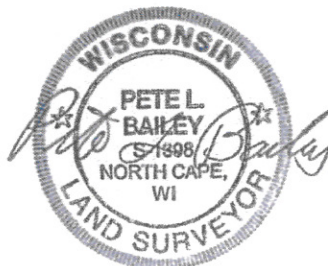
APPROVED by the Village Board of the Village of Richfield this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
JOHN JEFFORDS, VILLAGE PRESIDENT

\_\_\_\_\_  
LAURA JOHNSON, DEPUTY CLERK

This instrument was drafted by Pete L. Bailey.

G:\MyFiles\WPCERTS\BADGERCSM







6 c





**VILLAGE OF RICHFIELD**  
VILLAGE BOARD COMMUNICATION FORM

6c

MEETING DATE: April 16, 2015

SUBJECT: 2016–2020 Capital Improvement Plan  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE CIP SUBCOMMITTEE AND ADOPT THE 2016-2020 CIP?*

*ISSUE SUMMARY:*

On October 18, 2012 the Village Board established a policy and process for the development and administration of a five (5) year Capital Improvement Program (CIP). Since that time the Village Board has formally adopted two CIP's (i.e. 2013, 2014). Highway improvement and equipment maintenance continue to be the two major components of the Capital Improvement Plan and Staff continues to look for new ways to improve the Capital Improvement Plan and process.

Following the recommendations by the 2014 CIP subcommittee, Village Staff has focused their attention on implementing a robust traffic count plan in order to provide more information that might aid in the selection of future road improvement projects. 2015 will also be a Pavement Surface Evaluation and Rating (PASER) year in which the State of Wisconsin mandates the Village to evaluate and assign a numerical rating to every road in the Village. These evaluations take place on a biennial calendar so that deterioration throughout the entire Village can be re-examined regularly. Kunkle Engineering Group will be engaged in assisting with the PASER ratings and a similar scope of services will be prepared by them just like what was done in 2013.

This year Staff also made attempts to make this a more visual document for the Board and the public by including pictures of the segments of road in the Capital Improvement Plan along with the vehicles themselves. These pictures help to convey the current state of the roads being considered in the program. Being able to highlight, explain and most importantly, show the problems existing with each road has assisted the subcommittee with their decision-making process.

Recommendations for future information made at the subcommittee level this year includes looking back at road reconstruction methods done in past years and tracking reconstruction efforts in the future so that we might be able to better determine what has been done, when it was done, whom it was done by, and what works with different types of roads in the Village. It is important to note that this document, like most Village documents, is a living, breathing work in progress. Aside from these changes Village Staff will also be working in concert with Staff members from around the State to see what other 'best practices' are being utilized in capital purchasing.

Another significant improvement this year by Staff was a refocusing of attention by providing the most up-to-date mileage, labor hours, and life expectancies on Village equipment. Starting January 1, 2015 DPW Supervisor Adam Schmitt, Shop Foreman Bob Muesch, Administrative Services Coordinator KateLynn Schmitt and Administrative Intern Brad Calder worked together in order to implement new procedures for tracking the actual costs of maintenance on Village equipment. Maintenance costs are one of the most important, if not the most important piece of information, that can be made available when attempting to determine the best time to sell or keep a piece of equipment.

While roads and equipment continue to be one of the main focuses of Village Staff, other "quality of life" projects included in the plan are expenditure items for park projects and future planning for Village building and other similarly related maintenance items.



**VILLAGE OF RICHFIELD**  
VILLAGE BOARD COMMUNICATION FORM

bc

MEETING DATE: April 16, 2015

SUBJECT: 2016–2020 Capital Improvement Plan  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

The Capital Improvement Program Administrative Committee considered the plan and approved it to go before the Village Board with the following motion:

Motion by Rob McDonald to approve the 2016-2020 Capital Improvement Plan amended to exclude the newly proposed six (6) year Sign Replacement Plan and the reallocation of \$50,000 from the Village Hall Future Renovation Fund to the Hwy Improvement Budget for 2016; Seconded by Trustee Neu; Motion carried unanimously.

Tonight a presentation on some of the upcoming projects will be presented by Staff for the benefit of the Board and those members of the public in attendance.

**FISCAL IMPACT:**

REVIEWED BY: Katey W. Smith  
Village Deputy Treasurer

Initial Project Costs: variable  
Future Ongoing Costs: variable  
Physical Impact (on people/space): variable  
Residual or Support/Overhead/Fringe Costs: variable

**ATTACHMENTS:**

1. March 12, 2015 CIP Subcommittee Meeting Minutes (DRAFT)
2. 2016-2020 Capital Improvement Plan (separate file)

**STAFF RECOMMENDATION:**

Motion to approve the 2016-2020 Capital Improvement Plan, as presented.

APPROVED FOR SUBMITTAL BY:

[Signature]  
Village Staff Member  
[Signature]  
Village Administrator

VILLAGE CLERKS USE ONLY  
BOARD ACTION TAKEN

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

**1. Call to order/determination of quorum**

Village President John Jeffords called the meeting to order at 7:36 p.m.

In attendance were Trustee Dan Neu, Rob McDonald, Village Administrator Jim Healy, Administrative Service Coordinator KateLynn Schmitt, and Public Works Supervisor Adam Schmitt.

Bob Lalk had an excused absence.

**2. Verification of Open Meetings Law compliance**

Village Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as at Village Hall. Agendas were also sent via email to media outlets which included; the *West Bend Daily News*, the *Germantown Express*, the *Hartford Times Press*, and the *Milwaukee Journal Sentinel*.

**3. Pledge of Allegiance**

**4. Meeting Minutes**

**a. April 9, 2014 – Committee Meeting**

Motion by Committee Member Rob McDonald to approve the April 9, 2014 committee meeting minutes; Seconded by Trustee Neu; Motion carried unanimously.

**5. Discussion/Action Items**

**a. Discussion and possible recommendations regarding the 2016-2020 Village of Richfield Capital Improvement Plan**

Trustee Neu asked that we begin looking back at what type of road work is done to each road every year, and keep a running list of that information moving forward.

President Jeffords and Trustee Neu indicated they had some reservations about the amount of money being proposed to be allocated for a new sign program each year starting in 2016. President Jeffords expressed concerns about being able to come up with those funds each year.

DPW Supervisor Schmitt indicated that to protect the Village from liability a new policy should be enacted, and the Village could start by allocating smaller funding dollars for emergency sign replacement.

Committee Member McDonald asked about the potential of purchasing drag type rakes to replace the bunker rake. These rakes would be an investment at first, but would likely save money over a longer period of time.

Committee Member McDonald also asked that the option of leasing computers in 2020 be explored instead of an all new purchase for obsolete equipment again.

President Jeffords proposed the reallocation of \$50,000 from the Village Hall Future Renovation Fund to the Hwy Improvement Budget for 2016.

Motion by Rob McDonald to approve the 2016-2020 Capital Improvement Plan amended to exclude the newly proposed six (6) year Sign Replacement Plan and with the reallocation of \$50,000 from the Village



Hall Future Renovation Fund to the Hwy Improvement Budget for 2016; Seconded by Trustee Neu; Motion carried unanimously.

**6. Adjournment**

Motion by Trustee Neu to adjourn; Seconded by Rob McDonald; Motion passed without objection at 9:17 p.m.

Respectfully Submitted,

KateLynn Schmitt  
Administrative Services Coordinator

DRAFT



6 d-e



**VILLAGE OF RICHFIELD**  
VILLAGE BOARD COMMUNICATION FORM

6d-e

MEETING DATE: April 16, 2015

SUBJECT: Establishment of a "Local Negotiating Committee" and Resolution R2015-04-01  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: 1) DOES THE VILLAGE BOARD WISH TO ESTABLISH A "LOCAL NEGOTIATING COMMITTEE" FOR THE PURPOSES OF ESTABLISHING A PRESENCE WITH THE STATE FOR THE SITING OF A SOLID OR HAZARDOUS WASTE FACILITY UNDER SEC. 289.33?*

*IF YES,*

*POLICY QUESTION: 2) DOES THE VILLAGE BOARD WISH TO ESTABLISH A RESOLUTION AS REQUIRED BY WIS. STATS. 289.33(6)(A) FOR THE SAME?*

*ISSUE SUMMARY:*

Over the course of the last few months the Village Board has been working in tandem with the Village Plan Commission and the State of Wisconsin's Department of Natural Resources (DNR) regarding the developer-led petition to the State of Wisconsin by Scenic Pit, LLC. (Mrs. Danah Zoulek) to operate a "solid or hazardous waste facility" in the Village of Richfield under Wis. Stats. §289 located at 609 Scenic Road.

As previously mentioned in prior public meetings, the Village received written communication from Scenic Pit, LLC. on March 5, 2015 indicating their intention to seek approval for a "landfill" or otherwise defined as a "solid waste facility" under Wisconsin State Statutes. The notification seeking "all local approvals that are necessary" is one of the requirements fulfilled by Staff over the course of the last month. From the Village's perspective, the next set of steps would be the establishment of a "Local Negotiating Committee" and to pass a resolution indicating our desire to do the same. If the Board is of a mind to pass both, then Village Staff will require the members of the team to file with the Waste Facility Siting Board a Statement of Economic Interest within 50 days of appointment. This will be completed by Staff for the group.

Included for your review are a series of written communications from the attorney representing Scenic Pit, LLC., the Wisconsin Department of Natural Resources, and the Village seeking various information from one another. These letters are summarized below:

**March 30, 2015 Letter**

**McIlroy to Wisconsin DNR**

The attorney for Scenic Pit LLC is seeking clarification from the DNR regarding how they would be classified. His belief is that they fall under "Other Facilities". He is also seeking clarification on local criteria and performance standards. Scenic Pit, LLC has hired Key Engineering to assist with the development of materials which will inevitably be provided to the State.

**April 2, 2015**

**Moore to Zoulek**

The DNR is informing Mrs. Zoulek that while there may be processes and procedures from the State of Wisconsin, they are not exempt from local zoning requirements. The DNR agrees that in concept their proposal would lend itself towards being classified as an "Other Facility". The locational and performance requirements prohibit a facility from having various adverse impacts which are listed for ease and convenience of the reader.



**VILLAGE OF RICHFIELD**  
VILLAGE BOARD COMMUNICATION FORM

bd-e

MEETING DATE: April 16, 2015

SUBJECT: Establishment of a "Local Negotiating Committee" and Resolution R2015-04-01  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

**April 6, 2015**

**Healy to Moore**

The purpose of my letter was to seek clarification on only a handful of facts. 1) Has the DNR ever received anything that would indicate an intent to seek Department approvals under Ch. 289; 2) That the understanding of the DNR is that they will not attempt to bypass local ordinances; 3) if they agree with my assertion that their attorney is incorrectly applying the legislative intent of the statutes.

**April 7, 2015**

**Moore to Healy**

In response to my letter the DNR had the following comments: 1) the DNR has not received any correspondence from anyone seeking approval by the Department for the Scenic Pit under Ch. 289 of Wis. Stats.; 2) Their proposal would still require local approvals in addition to any other approvals which may be necessary from the State of Wisconsin; 3) Their petition to the Waste Siting Board is not appropriate or necessary for the activities being proposed by Scenic Pit, LLC.

While it would appear that the DNR takes the position that their legal counsel is incorrectly applying the legislative intent of this section of law, as a Staff we believe the best course of action at this point is to continue our charted course until otherwise notified of their intent to withdraw or our expected written denial of their claim from the WI-DNR.

**FISCAL IMPACT:**

REVIEWED BY: Kate Lynn Schmitt  
Village Deputy Treasurer

Initial Project Costs: Professional Services Charges (Attorney)

Future Ongoing Costs: variable

Physical Impact (on people/space): Establishment of a "solid or hazardous waste facility"

Residual or Support/Overhead/Fringe Costs: Administrative Staff time

**ATTACHMENTS:**

1. March 30, 2015 Letter from Bruce McIlnay, legal counsel for Scenic Pit LLC. to Ms. Cynthia Moore, WI-DNR
2. April 2, 2015 Letter from Ms. Cynthia Moore, WI-DNR to Mrs. Danah Zoulek (Scenic Pit, LLC.)
3. April 6, 2015 Letter from Village Administrator Healy to Ms. Cynthia Moore, WI-DNR
4. April 7, 2015 Letter from Ms. Cynthia Moore, WI-DNR to Village Administrator Healy
5. Resolution R2015-04-01, a siting resolution as required by Wis. Stats. 289.33(6)(a)

**STAFF RECOMMENDATION:**

- 1) Motion to establish a "Local Negotiation Committee" to consist of Village Administrator Jim Healy, Administrative Services Coordinator KateLynn Schmitt and Village Attorney Stan Riffle and to direct Staff to send appropriate notification of the same to the State of Wisconsin along with the required "statement of economic interest".
- 2) Motion to approve Resolution R2015-04-01, a siting resolution as required by Wis. Stats. 289.33(6)(a) and to direct Staff to send appropriate notification of the same to the State of Wisconsin.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY  
BOARD ACTION TAKEN





**VILLAGE OF RICHFIELD**  
VILLAGE BOARD COMMUNICATION FORM

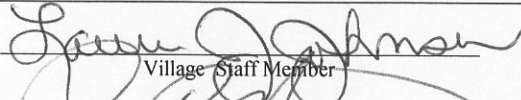
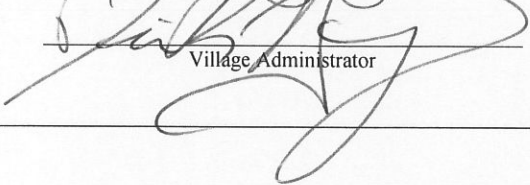
6d-e

MEETING DATE: April 16, 2015

SUBJECT: Establishment of a "Local Negotiating Committee" and Resolution R2015-04-01

DATE SUBMITTED: April 10, 2015

SUBMITTED BY: Jim Healy, Village Administrator

  
\_\_\_\_\_  
Village Staff Member  
  
\_\_\_\_\_  
Village Administrator

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_





MCILNAY BUTTON LAW LLC  
1971 WASHINGTON STREET  
GRAFTON, WI 53024  
P: 262-421-8060  
F: 262-421-8059  
WWW.MCBUSINESSLAW.COM

March 30, 2015

VIA EMAIL

Ms. Cynthia Moore  
Waste Program Manager, Se Region  
Wisconsin Department of Natural Resources  
2300 N Martin Luther King Jr. Dr.  
Milwaukee, WI 53212

Re: Proposed Scenic Pit Solid Waste Facility; Richfield, Wisconsin

Dear Ms. Moore:

Thank you for inviting representatives of Scenic Pit LLC (the "Operator") to meet with you and other interested representatives from the Department of Natural Resources regarding the Operator's intent to establish a solid waste disposal site at an abandoned gravel pit at 609 Scenic Road (Colgate) in the Village of Richfield, Wisconsin. We understand from our conversation that you had received several inquiries about the Operator's proposed operation and are glad that we were able to answer your questions. Because of the substantial misunderstanding regarding these operations among portions of local residents, we would appreciate if you could confirm the following understandings in the form of the letter to Danah Zoulek, the majority member of the Operator.

Generally, solid waste disposal facilities are regulated under Chapters NR 500 to 538. Section NR 500.08 provides certain exceptions to those regulations. Relevant to the Operator's intended operation is subsection (2) of NR 500.08, which reads as follows:

(2) OTHER FACILITIES. The following facilities shall be established in conformance with the locational requirements of s. NR 504.04 (3) (c) and (4) (a) to (f) and shall be operated and maintained in a nuisance-free and aesthetic manner but are exempt from licensing and the requirements of chs. NR 500 to 538:

(a) Facilities where only clean soil, brick, building stone, concrete or reinforced concrete not painted with lead-based paint, broken pavement, and wood not treated or painted with preservatives or lead-based paint are disposed.

- (b) Facilities for the exclusive disposal of spoils from sand, gravel or stone and crushed stone quarry operations and similar nonmetallic earth materials.

From our meeting, we understood that a facility that accepts exclusively the solid waste materials identified in subsection NR 500.08 (2), is not subject to licensing under chapter NR 500. Nevertheless, such a facility must be established in conformance with the locational requirements of section NR 504.04 (3) (c) and (4) (a) to (f). Furthermore, such a facility must be operated and maintained in a nuisance-free and aesthetic manner.

Section NR 504.04 (3) (c) and (4) (a) to (f): reads in relevant part as follows:

(3) **LOCATIONAL CRITERIA.** No person may establish, construct, operate, maintain or permit the use of property for a landfill where the limits of filling are or would be within the following areas:

- (c) Within a floodplain.

(4) **PERFORMANCE STANDARDS.** No person may establish, construct, operate, maintain or permit the use of property for a landfill if there is a reasonable probability that the landfill will cause:

- (a) A significant adverse impact on wetlands as provided in ch. NR 103.
- (b) A take of an endangered or threatened species in accordance with s. 29.604, Stats.
- (c) A detrimental effect on any surface water.

(d) A detrimental effect on groundwater quality or will cause or exacerbate an attainment or exceedance of any preventive action limit or enforcement standard at a point of standards application as defined in ch. NR 140. For the purposes of design the point of standards application is defined by s. NR 140.22 (1).

(e) The migration and concentration of explosive gases in any landfill structures excluding the leachate collection system or gas control or recovery system components in excess of 25% of the lower explosive limit for such gases at any time. The migration and concentration of explosive gases in the soils outside of the limits of filling within 200 feet of the landfill property boundary or beyond the landfill property boundary in excess of the lower explosive limit for such gases at any time. The migration and concentration of explosive gases in the air outside of the limits of filling within 200 feet of the landfill

boundary or beyond the landfill property boundary in excess of the lower explosive limit for such gases at any time.

(f) The emission of any hazardous air contaminant exceeding the limitations for those substances contained in s. NR 445.04 or 445.05.

It is the Operator's understanding and intent to comply with the above requirements. To that end, the Operator has engaged Key Engineering to assist it to comply with chapter NR 140. We explained that Mr. Merkel has been in touch with the appropriate representative of the DNR for that purpose. Key Engineering Group, Ltd. has spoken with a DNR stormwater specialist regarding an NR216 stormwater discharge permit for the project. We were informed that this project would be reviewed similar to any other development project.

We also discussed that the DNR will investigate and enforce these requirements should it receive complaints from the public. Accordingly, best practices dictate that the Operator maintained an appropriate documentation system to verify that it only accepts the solid waste materials identified under section NR 500.08 (2). One practice that we identified was requiring that parties who intend to deposit materials at the site give the Operator 24 hour's prior notice and identify the site from which the materials were acquired by that party. This will allow the Operator to investigate the source of the materials and compare that against identified contaminated sites.

It was noted by you or one of your colleagues, that had there been even on truck load of extraction from this site after August 1, 2001, then it would have been subject to reclamation under NR 135.

On behalf of my client, I am requesting the DNR's written verification that the correctly states the substance of our discussion on Monday, March 23, 2015. Please address your letter to:

Scenic Pit LLC  
2296 Beachwood Industrial Court  
Hubertus, WI 53033  
Attention: Danah Zoulek



Ms. Cynthia Moore  
March 30, 2015  
Page 4

Thank you again for taking the time to meet with us. Should you have any additional questions or comments regarding the Operator's proposed operation, do not hesitate to contact me, Mr. Merkel, or the Operator.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Bruce A. McInay", with a long horizontal flourish extending to the right.

Bruce A. McInay

cc: Scenic Pit, LLC  
John Jeffords, Village President (VillagePresident@richfieldwi.gov)  
John Macy, Village Attorney (jmacy@ammr.net)  
State Representative Bob Gannon (Rep.Gannon@legis.wisconsin.gov)  
State Representative Janel Brandtjen (Rep.Brandtjen@legis.wisconsin.gov)  
State Senator Alberta Darling (Sen.Darling@legis.wisconsin.gov)

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
Milwaukee Headquarters  
2300 N. Martin Luther King Drive  
Milwaukee WI 53212

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463



April 2, 2015

File Ref: FID  
Washington County  
CORR

Ms. Danah Zoulek  
Scenic Pit LLC  
2296 Beachwood Industrial Court  
Hubertus, WI 53033

Subject: Proposed Scenic Pit Solid Waste Facility, Richfield, Wisconsin

Dear Ms Zoulek:

The Department has written this letter in response to a March 30, 2015 letter from Mr. Bruce McIlnay of McIlnay Button Law, LLC to me regarding the approval requirements for soil disposal at the proposed Scenic Pit at 609 Scenic Road in the Village of Richfield. As was discussed during our March 23, 2014 meeting, Scenic Pit LLC is proposing to take fill to Scenic Pit. Clean fill, as defined by s. NR 500.08 (2) (see below), would be brought to the site from sources known by the owners of Scenic Pit LLC. The intent is to reclaim the gravel pit to allow future development of the site.

Please note that this letter addresses solid waste disposal requirements and is not intended to address other approvals for the disposal of soils at this site, including local zoning requirements or other environmental rules such as stormwater requirements.

Section 289.01(33) of the Wisconsin Statutes defines solid waste:

"Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility *and other discarded or salvageable materials*, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31 (1). (*Italics added*)

As indicated in the definition, any "other discarded or salvageable material" is considered a solid waste. Therefore, soil that is excavated and requires disposal is considered a solid waste, even if that soil is considered "clean."

As Mr. McIlnay indicates in his letter, solid waste disposal facilities are regulated under Chapters NR 500 to 538 of the Wisconsin Administrative Code. Section NR 500.08 (2) provides certain exceptions to those regulations:

(2) OTHER FACILITIES. The following facilities shall be established in conformance with the locational requirements of s. NR 504.04 (3) (c) and (4) (a) to (f) and shall be operated and maintained in a nuisance-free and aesthetic manner but are exempt from licensing and the requirements of chs. NR 500 to 538:

(a) Facilities where only clean soil, brick, building stone, concrete or reinforced concrete not painted with lead-based paint, broken pavement, and wood not treated or painted with preservatives or lead-based paint are disposed.

(b) Facilities for the exclusive disposal of spoils from sand, gravel or stone and crushed stone quarry operations and similar nonmetallic earth materials.

The proposal of Scenic Pit LLC to place clean fill materials at 609 Scenic Road in the Village of Richfield would be considered an "Other Facility" described above which is exempt from the licensing requirements of Chapters NR500 to 538, Wis. Adm. Code. This includes the requirement to seek applicable local approvals under s. 289.22(1m), Stats. for a solid waste facility.

Mr. McIlnay also correctly indicates that a facility that accepts clean fill materials must comply with the locational and performance requirements section NR 504.04 (3) (c) and (4) (a) to (f), and such a facility must be operated and maintained in a nuisance-free and aesthetic manner. In summary, these requirements prohibit the facility from:

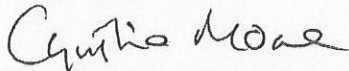
- Being located within a floodplain.
- Causing a significant adverse impact on wetlands.
- A take of an endangered or threatened species.
- A detrimental effect on any surface water.
- A detrimental effect on groundwater quality.
- The migration of explosive gases.
- The emission of any hazardous air contaminant exceeding the limitations for those substances contained in s. NR 445.04 or 445.05, Wis. Adm. Code.

The exemption from the licensing requirements of ch. NR500 to 538, however, does not exempt the proposed activities at the site from other pertinent requirements, such as local zoning and stormwater and erosion control.

Mr. McIlnay's letter also indicates a procedure for accepting only clean fill at this proposed facility, as defined in s. NR 500.08 (2) above. The Department agrees with the proposed method of having a hauler identify the source of the materials that are proposed to be brought for disposal so that the originating site can be compared with sources of contaminated materials, such as the Department's BRRTS database of contaminated sites. Other good practices for excluding contaminated soils that we discussed include controlling access to the site and observing soils brought to the site for staining or odors.

If you have any questions about this completeness determination, please do not hesitate to contact Gerald DeMers at (414) 263-8594.

Sincerely,



Cynthia Moore, Supervisor  
Waste and Materials Management Program, Southeast District

cc: SER Facility Files  
Bruce A. McIlnay, McIlnay Button Law, LLC  
Robert Merkel, Key Engineering Group  
Jim Healy, Village Administrator  
John Jeffords, Village President (VillagePresident@richfieldwi.gov)  
John Macy, Village Attorney (jmacy@ammr.net)  
State Representative Bob Gannon (Rep.Gannon@legis.wisconsin.gov)  
State Representative Janel Brandtjen (Rep.Brandtjen@legis.wisconsin.gov)  
State Senator Alberta Darling (Sen.Darling@legis.wisconsin.gov)

Gerald DeMers, DNR SER  
Rob Grosch, DNR SER  
Nancy Ryan, DNR SER  
Melanie Burns, DNR SER





April 6, 2015

## Village of Richfield

*Forward. Preserving...  
A Country Way of Life!*

Ms. Cynthia Moore, Supervisor  
Waste and Materials Management Program  
C/O WI-DNR, Milwaukee Headquarters  
2300 N. Martin Luther King Drive  
Milwaukee, WI 53212

RE: Response to Proposed Scenic Pit Solid Waste Facility, Richfield, Wisconsin

Dear Ms. Moore,

First and foremost, I would like to thank you for taking the time to speak with me over the course of the last few weeks. I sincerely appreciate the Wisconsin Department of Natural Resources' (WI-DNR) openness and effective communication with the Village regarding the above referenced matter and many other instances which have required our collaboration over the course of my tenure here in Richfield. It continues to be a pleasure working with your government agency.

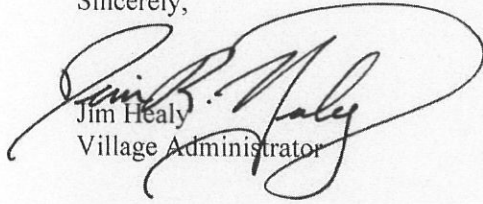
The purpose of my correspondence is to seek written clarification from your Department regarding the Scenic Pit LLC.'s (Mrs. Danah Zoulek) proposed solid waste facility within our municipal boundaries. While the Village received and responded to the request for local approvals under §289.22 (1m) Wis. stats., to date, the Village has never received a copy of an initial site report submitted to the Department under §289.22 Wis. stats. or any informal or formal document seeking approval to operate a landfill on the property located at 609 Scenic Drive (Tax Key: V10\_1161). Can the WI-DNR please confirm the same? If you have received a copy of anything that would indicate an intent to seek Department approvals under Ch. 289 Wis. stats., would it be possible to please forward that to my attention at your earliest convenience?

It appears from a review of your letter dated April 2, 2015 that Scenic Pit, LLC is altering the original plan for the proposed facility, and is now seeking approval by the DNR for exemption from the licensing requirements related to a solid waste facility by attempting to meet the criteria for "Other Facilities" under NR 500.08 (2) Wis. Admin. Code. In your letter, you note that your response is only being given through the purview of the WI-DNR, and is not intended to be representative of all other approvals which may be necessary, including those found in our Village's Code of Ordinances. So, while their proposed operations may be seen as being "exempt from any licensing requirements found in ch. NR 500 to 538" they are not exempt from the requirements which may exist at the local level. Could you please confirm that this is your understanding as to how NR 500.08 (2) operates?

Lastly, I had the opportunity to speak to Mr. Gerald DeMers regarding Scenic Pit LLC.'s (Mrs. Danah Zoulek) petition to the Waste Siting Board. He was of the opinion that this type of a petition is not appropriate given their stated proposed uses on the site and that their continued pursuit of this process is an incorrect application of the legislative intent of the statutes. Do you also share the same position?

Thank you so much for your time and effort in this regard. I look forward to hearing back from you. If I can help in any way, shape, or form, please do not hesitate to contact me at your earliest convenience.

Sincerely,



Jim Healy  
Village Administrator

CC:

John Jeffords, Village President

Board of Trustees

John Macy, Village Attorney (via email)

Gerald DeMers, DNR SER (via email)

State Rep. Gannon (via email)

State Rep. Brandtjen (via email)

State Sen. Darling (via email)

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
Milwaukee Headquarters  
2300 N. Martin Luther King Drive  
Milwaukee WI 53212

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463



April 7, 2015

File Ref: FID267202870  
Washington County  
CORR

Mr. Jim Healy, Village Administrator  
Village of Richfield  
4128 Hubertus Road  
Hubertus, WI 53033

Subject: Proposed Scenic Pit LLC Solid Waste Facility, Richfield, Wisconsin

Dear Mr. Healy:

The Department has written this letter in response to your April 6, 2015 letter to me requesting clarifications regarding Scenic Pit LLC (Ms. Danah Zoulek) proposed solid waste facility at 609 Scenic Drive. Our responses below address the three items that you raised in your letter.

Was an Initial Site Report submitted to the Department? – The contents of an Initial Site Report (ISR) are specified in chapter NR 509, Initial Site Reports for Landfills, in the Wisconsin Administrative Code. The contents of such a report include general project information, land use information, regional geotechnical information, findings of the Department's Initial Site Inspection, and other requirements such as fees and certifications. No report which attempts to meet these requirements has been submitted to the Department by Scenic Pit LLC. In addition, no Initial Site Inspection, which would precede an ISR, has been performed at the site by the Department. The only correspondence that the Department has received from Scenic Pit LLC, Ms. Zoulek or their attorney is two letters from Bruce McInay of McInay Button Law, LLC. One letter is dated March 5, 2015 and is addressed to the Clerk of the Village of Richfield and the Clerk of Washington County, and the second is dated March 30, 2015, and is addressed to me. The March 5 letter we received informally and will not be replying to, and you have received the Department's reply to the March 30 letter. To be clear, the Department has not received any correspondence from anyone seeking approval by the Department for the Scenic Pit under Ch. 289 of the Wisconsin Statutes.

Does an exemption from ch. NR 500 to 538, Wis. Adm. Code exempt a facility from local requirements? – We understand that Scenic Pit LLC proposes to accept clean soils for disposal at 609 Scenic Drive. This type of activity is exempted "by rule" (i.e., as specified in the administrative code) from solid waste requirements in the administrative code, and an exemption does not need to be requested from the Department for such a facility. This exemption from state solid waste code requirements does not exempt such a facility from requirements which may exist at the local level.

Is the petition to the Waste Siting Board appropriate for the activities proposed at Scenic Pit? – As indicated above, the proposed placement of clean soils at a site is exempt from solid waste rules. A petition to the Waste Siting Board and request for applicable local approvals pursuant to s. 289.22(1m), Wis. Stats., is appropriate for a municipal waste or industrial waste landfill, such as Orchard Ridge landfill in Menomonee Falls. This petition to the Waste Siting Board is not appropriate or necessary for the activities proposed by Scenic Pit LLC.


Please forward this letter to the Village of Richfield Board of Trustees as they were copied on your letter, but I do not have contact information for them.



Mr. Jim Healy  
April 7, 2015  
Page 2

If you have any questions about this completeness determination, please do not hesitate to contact Gerald DeMers at (414) 263-8594.

Sincerely,



Cynthia Moore, Supervisor  
Waste and Materials Management Program, Southeast District

cc: SER Facility Files  
Gerald DeMers, DNR SER  
Rob Grosch, DNR SER  
John Jeffords, Village President (VillagePresident@richfieldwi.gov)  
John Macy, Village Attorney (jmacy@ammr.net)  
State Representative Bob Gannon (Rep.Gannon@legis.wisconsin.gov)  
State Representative Janel Brandtjen (Rep.Brandtjen@legis.wisconsin.gov)  
State Senator Alberta Darling (Sen.Darling@legis.wisconsin.gov)

## RESOLUTION R2015-04-01

## SITING RESOLUTION AS REQUIRED BY Wis. Stats. 289.33(6)(a)

WHEREAS, on March 5, 2015 the Village received a petitioned purportedly filed under Wis. Stats. 289.22(1m) by Scenic Pit, LLC. which is controlled by Mrs. Danah Zoulek and registered at 2996 Beechwood Industrial Court; Hubertus, WI 53033

WHEREAS, Mrs. Zoulek's request, made on her behalf by Attorney Bruce McIlnay of McIlnay Button Law, LLC located at 1971 Washington Street in Grafton, Wisconsin, was seeking a 'request for specification of all applicable local approvals' to operate a 'solid or hazardous waste facility' in the Village of Richfield, Washington County, Wisconsin; and

WHEREAS, the proposed sites are described as Parcel 1 and Parcel 1:

Parcel 1:

*The northeast ¼ of the Southeast ¼ of Section 27, Township 9 North of Range 19 East, in the Village of Richfield, Washington County, Wisconsin, EXCEPTING THEREFROM the following parcel: That part of the Northeast ¼ of the Southeast ¼ of Section 27, Township 9 North of Range 19 East, Beginning at the Northeast corner of said Northeast ¼ of the Southeast ¼ of Section 27; thence running South on the East line of said Northeast ¼ of the Southeast ¼, 291.30 feet; thence West at right angles 259.50 feet; thence North at right angles 291.30 feet; thence East at right angles 259.50 feet to the place of beginning. Also described as the North 291.3 feet of the East 259.5 feet of the Northeast ¼ of the Southeast ¼ of Section 27, Township 9 North of Range 19 East, in the Village of Richfield, Washington County, Wisconsin.*

Parcel 2:

*That part of the Northeast ¼ of the Southeast ¼ of Section 27, Township 9 North of Range 19 East, Beginning at the Northeast corner of said Northeast ¼ of the Southeast ¼ of Section 27; thence running South on the East line of said Northeast ¼ of the Southeast ¼, 291.30 feet; thence West at right angles 259.50 feet; thence North at right angles 291.30 feet; thence East at right angles 259.50 feet to the place of beginning. Also described as the North 291.3 feet of the East 259.5 feet of the Northeast ¼ of the Southeast ¼ of Section 27, Township 9 North of Range 19 East, in the Village of Richfield, Washington County, Wisconsin.; and*

WHEREAS, the subject properties are more common referred to by Tax Key: V10\_1161 for "Parcel 1" and V10\_1161-00A for "Parcel 2". "Parcel 1" has the street address listing of 609 Scenic Road; and

WHEREAS, the Village, on March 16, 2015 specified all local approvals for which applications are required in accord with the provisions of Wis. Stats. 289.22(1m)

WHEREAS, the Village Board of Trustees is hereby adopting this resolution for the purposes of stating 'the municipality's intent to negotiate and if necessary, arbitrate with the applicant concerning the proposed facility' as authorized under Wis. Stats. 289.33(6)(a); and

WHEREAS, the Village of Richfield's negotiating committee will consist of Village Administrator Jim Healy, Administrative Services Coordinator KateLynn Schmitt, and Village Attorney Stan Riffle;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Richfield, Wisconsin, that;

PASSED THIS 16<sup>th</sup> DAY OF APRIL 2015, BY THE VILLAGE BOARD OF THE VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

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John Jeffords, Village President

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Jim Healy, Administrator/Clerk



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VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 6 f

MEETING DATE: April 16, 2015


SUBJECT: Development of Road Connectivity Map  
DATE SUBMITTED: April 10, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: NONE.

ISSUE SUMMARY:

During the next month, Village Staff will be working to create a "Road Connectivity Map". The map will serve as a resource for Village Staff to help property owners envision potential single-family residential development options or to help property owners understand how their roads may one day be connected to adjacent subdivisions. Right now the Village has 50+ places on the Village's adopted Zoning Map where roads abruptly terminate. With the creation of this map and by taking into consideration such things as existing subdivision plat maps where future road reservations may be indicated, topography, environmentally sensitive areas, neighboring land uses, and the type of termination currently used (dead end, t-turnaround, etc.) Village Staff is able to more effectively assist property owners with the development of their land when/if the time comes. Village Staff expects approximately 30 hours of combined Staff time to complete the project and our expectation is that we will have something for the Board to consider in May or June.

FISCAL IMPACT:

REVIEWED BY:   
Village Deputy Treasurer

Initial Project Costs: Administrative

Future Ongoing Costs: N/A

Physical Impact (on people/space): Delineation of proposed roads in the Village

Residual or Support/Overhead/Fringe Costs: Administrative

ATTACHMENTS:

1. Future Road Development, DRAFT February 2015 (Forthcoming)

STAFF RECOMMENDATION:

None, informational only.

APPROVED FOR SUBMITTAL BY:

  
Village Staff Member  
  
Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_